

**TOWN OF SOMERS  
ZONING BOARD OF APPEALS  
P.O. BOX 308  
SOMERS, CT 06071**

**ZONING BOARD OF APPEALS MINUTES  
REGULAR MEETING  
DECEMBER 14, 2010  
TOWN HALL – 7:30 pm**

**I. CALL TO ORDER:**

Vice Chair, Barbara Flebotte called the regular meeting to order at 7:31 pm.

**II. MEMBERS PRESENT:**

Acting Secretary Robert Minch did a role call. Members present included: Barbara Flebotte, Jerome Young, Daniel Marceau, Frederick Krein, and Robert Minch. Absent were: John Torres and Daniel Scully. Also present were a handful of interested citizens.

**III. PUBLIC HEARING (William Salka):**

Chairman Torres called the Public Hearing portion of the meeting open at 7:32 pm. Acting Secretary Robert Minch read the legal notice for William Salka for the record.

Russell Miller, Juliano Pools, representing Mr. Salka, addressed Board members. He explained he was seeking a variance for a proposed in-ground pool. Mr. Miller brought a site drawing, as part of the application, depicting the location of the proposed 18 by 36 foot rectangular pool. He stated that due to the steep slope of the back-yard, they are seeking to locate the pool on side of the home. Mr. Miller pointed out that the home is located at the end of a cul-de-sac, with no abutting neighbors. He finished by saying there will be a 4 foot aluminum fence surrounding the pool area.

Mr. Minch asked what was the distance from the property line. Mr. Miller responded that the pool would be 15 feet from the line.

Ms. Flebotte asked for the location of monuments on the lot. Mr. Miller responded they had located 1 monument, and showed it to her on the site drawing. Mr. Young asked about the abutting property; was it Town land? Ms. Flebotte said it was. She noted important distances on the drawing: 23 feet from the front, 25 feet from the septic system and 15 feet from the side.

Ms. Flebotte added that her only concern is that the legal notice is incorrect because of the distances, and they had not been asking for a side-yard setback variance. Mr. Miller asked if the application could be approved with stipulations. Mr. Minch stated he would not be comfortable with that; they would need to re-apply. Ms. Flebotte agreed and said the new application would need corrected measurements. She asked members if they needed a better site drawing. Mr. Minch answered that a more legible, original copy would be preferred. Mr. Miller agreed to provide a better drawing.

Ms. Flebotte stated that she would like to see another monument located, and marked. Mr. Miller stated that they could go out to the property to locate and mark monuments this week.

Mr. Minch asked if a new application was necessary or could the original application be amended. Ms. Flebotte stated that the side yard variance is a new situation, but that Mr. Miller should check with the Planning office regarding Town requirements.

Ms. Flebotte asked for any additional questions or comments from Board members. None were brought forth.

*A motion was made by Mr. Minch to close the Public Hearing at 7:51 pm; seconded by Mr. Krein, and then unanimously voted as approved*

#### **IV. REGULAR MEETING:**

Vice Chair Flebotte called the regular meeting to order at 7:52 pm.

#### **V. MINUTES APPROVAL – 7/13/2010:**

Ms. Flebotte asked members for comments, changes on the 7/13/10 Meeting Minutes. None were brought forth.

*A motion was made by Mr. Minch to approve the Minutes of the July 13, 2010 Regular Meeting as written; seconded by Mr. Young. A unanimous vote to approve followed.*

#### **VI. PUBLIC HEARING DISCUSSION/DECISION:**

Ms. Flebotte re-opened the discussion of Mr. Salka's request for a variance. She re-stated requests made to Mr. Miller: locating a 2<sup>nd</sup> monument; flagging both monuments, and providing the ZBA with a new site drawing. Mr. Minch added that they also will need either a revised application or new submission and an official request for the new variance.

*A motion was made by Mr. Minch to table any decision on approval of a variance for William Salka until the next ZBA meeting; seconded by Mr. Young. A unanimous vote to approve followed.*

#### **VII. OLD BUSINESS:**

None.

#### **VIII. NEW BUSINESS:**

- a. Daniel Marceau, new ZBA member.**
- b. Annual Report for 7/1/09 – 6/30/10.** Ms. Flebotte distributed copies of the ZBA's submission to the Town's Annual Report. She stated that she used the previous year's format, and updated the information.
- c. ZBA Budget for 7/1/10 – 6/30/11.** Ms. Flebotte distributed copies of the 2010-2011 budget.
- d. Schedule for 2011.** Ms. Flebotte distributed copies of the proposed ZBA calendar of meetings for 2011, and informed members they needed to review and vote on it.

*A motion was made by Mr. Krein to accept the schedule of 2011 ZBA meetings; seconded by Mr. Marceau. A unanimous vote to approve followed.*

**IX. CORRESPONDENCE:**

None.

**X. BILLS:**

None.

**XI. ADJOURNMENT:**

*A motion to adjourn was made by Mr. Young; seconded by Mr. Krein, and unanimously approved to adjourn the December 14, 2010 regular meeting of the Zoning Board of Appeals at 8:19 pm.*

Respectfully submitted,

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.